

**ALABAMA BOARD OF ELECTRICAL CONTRACTORS
ADMINISTRATIVE CODE**

**OPERATIONS OF THE BOARD
CHAPTER 303-X-2**

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303-X-2-.01 Qualifications for an Electrical Contractor's License

The Board shall have the power to determine the requirements for licensing a person to be an electrical contractor.

(1) All applicants for licensure must submit a completed application, application fee, personal identification and supportive documents before taking an examination approved by the Board. After reviewing the documents submitted, the Board may approve or deny an applicant's request to sit for the examination. The Board shall examine applicants at least once every three (3) months according to the method deemed by it to be the most appropriate to test the qualifications of applicants.

(2) The scope of licensing for an electrical contractor includes installation, design, plan, lay-out and directly supervising electrical construction activities. This work supervised must be commercial, industrial, or residential.

(3) An electrical contractors' license in the state of Alabama is unlimited in voltage and bid requirements.

(4) An applicant for state wide electrical contractor license must document to the Board's satisfaction a minimum of eight thousand (8,000) hours of experience in the overall design, planning, lay-out, and direct supervision of electrical construction activities and the soliciting and installing of electrical power or control systems This requirement may be satisfied with the documentation of eight thousand (8,000) hours of experience as a journeyman electrician in charge of jobs.

(5) The applicant's electrical construction experience and activities must be truthfully, clearly and sufficiently documented on the application where indicated.

(6) The applicant for an electrical contractor's license may substitute (1) year of education consisting of two (2) full time semesters or three (3) full time quarters in an approved electrical curriculum or one (1) year of an approved apprenticeship program for one thousand (1,000) hours of electrical experience. A maximum of two thousand (2,000) hours of the eight thousand (8,000) hours total requirement can be met with the substituted hours. The applicant must provide appropriate documentation of the substituted hours in an electrical curriculum or apprenticeship program, subject to the approval of the Board.

(7) All applications submitted to the Board to qualify to sit for the electrical contractor's examination expire in two years from the approval date if the applicant has not successfully passed the requisite examination and fulfilled the requirements for licensing by the Board. If an applicant seeks to be

qualified to take an examination to be licensed as an electrical contractor after the expiration date, a new application must be submitted to the Board.

(8) An applicant for an electrical contractor license that has passed any national standardized examination proctored by an independent third party within in the State of Alabama which the Board shall approve as substantially similar to the examination required to be licensed under this chapter shall be deemed to be in compliance with the testing requirement set forth by the Board for licensure as an electrical contractor. Individuals meeting this qualification shall also be required to complete all other qualifications set forth by this chapter and the Board prior to the issuance of a license. Applicants affected by this provision shall have until August 31, 2012 for licensure without any further examination requirements.

(9) All licenses shall expire annually or at other times designated by the Board.

(10) No electrical contractor license shall be issued except in compliance with this act and none shall be issued except to a person or a person in a firm, partnership, association or corporation.

(11) The Board may recognize a license issued by any other reciprocating state that, in the Board's opinion, has standards of practice or licensure equal to or greater than those required by this state. A list of the approved reciprocal states is maintained at the Board office. The Executive Director shall review and approve or deny all applicants for a reciprocal license.

(12) A provisional license may be issued by the Board and authorizes a local licensee to engage or offer to engage in the business of electrical contracting only in the limited geographical boundaries of the county or municipality that issued the local license, provided that the licensee has taken the examination offered by the Board within the last 12 months. A provisional license is only valid within the local licensing area and only for a period of twelve months from the date of issuance by the Board. Applicants affected by this provision shall have until August 31, 2012 for licensure. This license is established pursuant to Section 34-26-16, Code of Ala. 1975.

(13) An applicant for an electrical contractor's license that holds a valid professional engineer's license registered in the state of Alabama is qualified to sit for the requisite examination.

Authority: Code of Alabama 1975, §34-36-5, et seq.

History: Repealed and New Rule: Filed February 11, 2011. Amended: June 29, 2012; Effective August 3, 2012.

Author: Hendon B. Coody

303-X-2-.02 Qualifications for a State-Wide Journeyman Electrician's License

The Board shall have the power to determine the requirements for licensing a person to be a journeyman electrician.

(1) All applicants for licensure must submit a completed application, application fee, personal identification and supportive documents before taking an examination approved by the Board. After reviewing the documents submitted, the Board may approve or deny an applicant's request to sit for the examination. The Board shall examine applicants at least once every three (3) months according to the method deemed by it to be the most appropriate to test the qualifications of applicants.

(2) Applicants for the state-wide journeyman electrical examination must demonstrate a minimum of eight thousand (8,000) hours experience that includes the installation of electrical wiring, apparatus or equipment for lighting or power, and/or controls thereof. This work must be commercial, industrial or residential. The applicant must also be capable of performing said work according to plans and specifications furnished to him or her and in accordance with standard rules and regulations governing such work.

(3) An applicant for a state-wide journeyman electrician examination may substitute one (1) year of education in an approved electrical curriculum or apprenticeship program for one thousand (1,000) hours of electrical experience for a maximum of two thousand (2,000) hours of the eight thousand (8,000) hours total required. The applicant must provide appropriate documentation, subject to the approval of the Board, of said education or apprenticeship program.

(4) All applications submitted to the Board to qualify to sit for the state-wide journeyman electrician's examination expire in two years from the approval date if the applicant has not successfully passed the requisite examination and fulfilled the requirements for licensing by the Board. If an applicant seeks to be qualified to take an examination to be licensed as a journeyman electrician after the expiration date, a new application must be submitted to the Board.

(5) All licenses shall expire annually or at other times designated the Board.

(6) The Board may recognize a license issued by any other reciprocating state that, in the Board's opinion, has standards of practice or licensure equal to or greater than those required by this state. A list of the approved reciprocal states is maintained at the Board office. The Executive Director shall review and approve or deny all applicants for a reciprocal license.

(7) An applicant for a journeyman electrician license that has passed any national standardized examination proctored by an independent third party

within the State of Alabama which the Board shall approve as substantially similar to the examination required to be licensed under this chapter shall be deemed to be in compliance with the testing requirement set forth by the Board for licensure as a journeyman electrician. Individuals meeting this qualification shall also be required to complete all other qualifications set forth by this chapter and the Board prior to the issuance of a license. Applicants affected by this provision shall have until August 31, 2012 for licensure without any further examination requirements.

Authority: Code of Alabama 1975, §34-36-4, et seq.

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Author: Hendon B. Coody

303-X-2-.03 Renewal of Licenses and Continuing Education

All applications for renewal of any license issued by the Board shall be filed with the Executive Director prior to the expiration date, accompanied by the annual license fee prescribed by the Board.

(1) The Board shall issue renewal notices to each licensed electrical contractor and journeyman electrician 30 days prior to the expiration of the license, such notice being sent to the last known postal or electronic mail address on file at the Board's office. Board may elect to send notices via regular U.S. Mail or by electronic mail.

(2) All electrical contractor licensees are required to complete fourteen (14) hours of continuing education every two (2) years.

(3) The Board shall set the minimum standards of continuing education for any license issued by the Board and may establish and adopt education requirements for each license category. The Board may also approve the program or programs providing education to fulfill the requirements.

Authority: Code of Alabama 1975, §34-36-8, et seq.

History: Repealed and New Rule: Filed February 11, 2011

Author: Hendon B. Coody

303-X-2-.04 Inactive Status Certification

(1) Any person licensed by the Board as an electrical contractor or as a journeyman electrician may elect an inactive status certification by notifying the Board in writing or by properly completing and submitting the form provided on the Board's website. This notification must be received by the Board at least thirty (30) days before the license is due to expire.

- (2) Only active licenses may elect inactive status; an expired license is not eligible for an inactive status certificate .
- (3) To qualify for inactive status, a licensee must not be actively engaged in electrical contracting or any electrical activity requiring an electrical license.
- (4) The fee for the issuance of an inactive status electrical contractor certificate and for an inactive status journeyman electrician shall be determined by the Board.
- (5) To reinstate an inactive certificate to an active license, the licensee must pay the appropriate renewal fee and provide proof of satisfactory completion of seven (7) hours of approved continuing education for each year of inactive status.

Authority: Code of Alabama 1975, §34-36-8, et seq.
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 Author: Hendon B. Coody

303-X-2-.05 Reinstatement of a License

- (1) An expired license for an electrical contractor which has expired due to failure to renew may only be reinstated within five (5) years from the date of expiration after application and payment of a reinstatement fee, payment of all accrued renewal fees and satisfaction of all continuing education requirements, which may be as much as thirty-five (35) hours. The reinstatement fee is in addition to all other fees which may apply.
- (2) An expired journeyman electrician’s license which has not been restored within two (2) years following its expiration may not be renewed, reinstated or re-issued thereafter. The holder of such a cancelled license may apply for and obtain a valid license only upon compliance with all relevant requirements, including license and renewal fees.

Authority: Code of Alabama 1975, §34-36-9, et seq.
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 Author: Hendon B. Coody

303-X-2-.06 Licensing Fees

The Board shall establish and collect reasonable fees for the administration of examinations, issuance of licenses and supplying information to applicants, licensees and the general public. The fees are as follows:

A. Electrical Contractor Examination Fee	\$165.00
B. Journeyman Electrician Examination Fee	\$115.00

C. Electrical Contractor License Fee	\$150.00
D. Journeyman Electrician License Fee	\$ 35.00
E. Electrical Contractor Renewal Fee	\$150.00
F. Journeyman Electrician Renewal Fee	\$ 35.00
G. Electrical Contractor Late Renewal Fee	\$ 50.00
H. Journeyman Electrician Late Renewal Fee	\$ 15.00
I. Inactive Electrical Contractor Certificate	\$ 75.00
J. Inactive Journeyman Electrician Certificate	\$ 15.00
K. Reinstatement of Electrical Contractor License	\$250.00
L. Reissuance or Replacement Card Fee	\$ 25.00
M. Provisional License Fee	\$ 75.00
N. Provisional License Renewal Fee	\$ 75.00

All renewal fees, late renewal fees and inactive licenses are due and payable annually.

Authority: Code of Alabama 1975, §34-36-11, et seq.

History: Repealed and New Rule: Filed February 11, 2011

Author: Hendon B. Coody

303-X-2-.07 Form and Content of License Certificates

(1) A license card bearing the licensee's name and license number shall be issued by the Board and signed by the Executive Director. All licenses shall be pre-numbered when printed and records maintained on each license.

(2) The name in which a license is issued must be distinguishable upon the records of the Board from the name in which a license has already been issued. The substitution of a numeral for a word shall not make the name distinguishable.

(3) The journeyman electrician's license shall be listed in the individual's name only and shall not be required to be licensed with a firm, partnership, association, or corporation.

(4) All electrical contracting business, including all business advertising and the submission of all documents and papers, conducted in the state of Alabama by a licensee of the Board shall be conducted in the exact entity name in which the electrical contracting license is currently assigned.

(5) All licensees shall notify the Board in writing or via electronic mail within thirty (30) days of any change in location, company affiliation, mailing address or telephone number.

(6) A license shall be issued to an individual only and a licensee shall have only one (1) number and one (1) license.

(7) A person may not license more than one (1) firm, partnership, association or corporation at a time unless said person can satisfy the Board that he or she is a principal in both affiliated entities and is actively engaged in the ongoing operations of both.

(8) Upon reasonable written request, a licensee may acquire one (1) replacement card per calendar year at the cost of a fee to be established by the Board. More than one request per licensee per year for a duplicate license shall be grounds for a hearing before the Board to justify the issuance of multiple license cards.

Authority: Code of Alabama 1975, §34-36-7, et seq.

History: Repealed and New Rule: Filed February 11, 2011

Author: Hendon B. Coody

303-X-2-.08 License Exemptions

(1) The Board shall not apply the provisions of this act:

- (a) to installation, construction or maintenance of power systems for the generation and secondary distribution of electrical currents constructed under the provisions of the national electrical safety code which regulates the safety requirements of utilities;
- (b) to the installation, construction, maintenance or repair of telephone or signal systems by or for public utilities or their corporate affiliates, when such work pertains to the services furnished by such utilities;
- (c) to any technician employed by a municipal franchised CATV system;
- (d) to any journeyman electrician employed by a state licensee of the Board or a licensee of a county or municipality where the contract work is being performed;
- (e) to persons engaging in the electrical contracting business or working as a master electrician or journeyman electrician where there is no governing ordinance or laws requiring a license;
- (f) to the owner of any premises or any employee of any such owner when performing electrical work or installing, constructing, maintaining, altering or repairing electrical wiring, equipment or apparatus on such premises;
- (g) to an employee or an electric utility when installing or repairing electric appliance and equipment for a customer;
- (h) to any retail merchant, or its employees making the direct replacement of or the repair or maintenance on any appliance that the merchant has sold, or to any modular or manufacturer of the housing industry within the state which is regulated by state and federal governments;

- (i) to the installation, construction or maintenance of systems that operate on 25 volts or less.
- (j) To the installation, construction or maintenance of direct broadcast satellite services.

Authority: Code of Alabama 1975, §34-36-13, et seq.
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Author: Hendon B. Coody

303-X-2-.09 Administration of Examinations

- (1) The Board has the power to administer or cause to be administered an examination to a qualified applicant for a license. This examination will be in accordance with any national standardized examination which the Board shall approve and may be administered to all applicants in lieu of or in conjunction with any other examination which the Board shall give to test the qualifications of the applicants.
- (2) The Board shall establish such norms of achievement as shall be required for a passing grade. The Board has the power to set qualifications and to review or cause to be reviewed each applicant's qualification.
- (3) Each applicant for a license from the Board must submit a completed application, application fee, personal identification and supportive documents of qualification to establish their file for evaluation.
- (4) A letter of intent of the applicant to sit for examinations must be received by the Executive Director at the Board's office at least thirty (30) days prior to examination.
- (5) The Board may report the grades to the individual applicants in accordance with Board policy.
- (6) Eligibility qualifications of an applicant may be obtained by the applicant's writing to the Board's Executive Director.

Authority: Code of Alabama 1975, §34-36-13, et seq.
History: Repealed and New Rule: Filed February 11, 2011
Author: Hendon B. Coody

303-X-2-.10 Discipline of a License

- (1) When charges are made against a licensed electrical contractor or journeyman electrician which would justify suspension or revocation, if proven, notice of the specific nature of the charges and the time and place of a hearing will be served upon the accused by registered mail and addressed to the last known address on record, not less than twenty-one (21) days before the date fixed for such hearing.

(2) The Board may suspend, revoke, or refuse to issue or renew a license after notice and opportunity for the applicant/licensee to be heard, upon proof of any of the following actions:

- (a) violation of any provision of Code of Alabama 1975 §§ 34-36-1, et seq.;
- (b) attempting to procure a license to practice electrical contracting or to work as a master electrician or journeyman electrician by bribery or fraudulent misrepresentations;
- (c) being convicted or found guilty, regardless of adjudication, of a crime in any jurisdiction which directly relates to the practice of electrical contracting, working as a journeyman electrician, or the ability to practice electrical contracting or to work as a master electrician or journeyman electrician;
- (d) making or filing a report or record which the licensee knows to be false, willfully failing to file a report or record required by state or federal law, willfully impeding or obstructing such filing, or inducing another person to impede or obstruct such filing. Such reports or records shall include only those which are signed in the capacity of a licensed electrical contractor, master electrician, or journeyman electrician;
- (e) being found guilty of fraud or deceit or of negligence, incompetency, or misconduct in the practice of electrical contracting or working as a master electrician or journeyman electrician;
- (f) practicing on a revoked, suspended, or inactive license;
- (g) aiding or abetting any person to evade any provision of this chapter;
- (h) knowingly combining or conspiring with any person by allowing one's license to be used by any unlicensed person with the intent to evade this chapter. When a licensee allows his or her license to be used by any firm, partnership, association, or corporation without having any active participation in the operations or management of the firm, partnership, association, or corporation, such act constitutes prima facie evidence of an intent to evade this chapter. If an electrical contractor files a request with the Board to transfer his or her license more than twice in a calendar year, then a hearing shall be set before the Board with the burden of proof being on the licensee to prove that the intent of this chapter is not being circumvented or obstructed;
- (i) acting in the capacity of an electrical contractor under any license issued under this act except in the name of the licensee as set forth on the issued license;
- (j) having a license to practice electrical contracting or journeyman electrician revoked, suspended, or otherwise disciplined, including the

denial of licensure by the licensing authority of another municipality, county, state, territory, or country.

(3) In addition to the action on the status of the license, the Board may impose an administrative fine of not more than \$5,000 (five thousand dollars) for each violation.

(4) If the Board finds that a person, corporation, or business entity is engaged in performing electrical contracting covered by this chapter without having obtained a proper license, the Board may do any of the following:

(a) deny an application for licensure;

(b) impose an administrative fine of not more than five thousand dollars (\$5,000) per violation;

(c) issue a cease and desist order;

(d) petition the circuit court of the county where the act occurred to enforce the cease and desist order or collect the assessed fine, or both.

(5) Any person aggrieved by an adverse action taken by the Board may appeal the adverse action to the circuit court of the county in which the adverse action occurred in accordance with the Alabama Administrative Procedures Act, Code of Alabama §§ 41-22-1, et seq.

Authority: Code of Alabama 1975, §34-36-6, et seq.

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